

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHRISTOPHER JOHN DIAZ-CASTRO,  
Petitioner,  
v.  
BRIAN WILLIAMS, *et al.*,  
Respondents.

Case No. 2:23-cv-01508-ART-BNW  
ORDER

Petitioner Christopher John Diaz-Castro, a *pro se* Nevada prisoner, commenced this action by filing a Petition for Writ of Habeas corpus (ECF No. 1-1) as well as an Application for Leave to Proceed *In Forma Pauperis* (“IFP”) ECF No. 4).

**I. IFP Application**

A \$5.00 filing fee is required to initiate a habeas action in a federal district court. 28 U.S.C. § 1914(a); Judicial Conference Schedule of Fees. The Court may authorize a person to begin an action without prepaying fees and costs if the person demonstrates indigency. 28 U.S.C. § 1915; LSR 1-1, 1-2. The IFP application must be submitted on the form provided by the court and include specific financial information and a declaration confirming under the penalty of perjury that the financial information is true. *Id.*

Although Petitioner submitted the required form, the supporting documents show he is able to pay the \$5 filing fee. Thus, he does not qualify for a fee waiver. The Court therefore denies the IFP application and gives Petitioner until 45 days from the date of entry of this order to pay the \$5 filing fee.

**II. Conclusion**

It is therefore ordered that Petitioner’s Application for Leave to Proceed *In Forma Pauperis* (ECF No. 4) is denied.

1 It is further ordered that Petitioner must pay the \$5.00 filing fee within 45  
2 days of the date of this order.

3 It is further ordered that if Petitioner fails to timely and fully comply with  
4 this order, the Court will dismiss this action without prejudice and without  
5 further advance notice.

6 DATED THIS 16<sup>th</sup> day of October, 2023.

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9 ANNE R. TRAUM  
10 UNITED STATES DISTRICT JUDGE  
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